

Message Text

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ACTION IO-11

INFO OCT-01 EUR-12 ISO-00 IOE-00 ACDA-05 CIAE-00 INR-07

L-03 NSAE-00 NSC-05 EB-07 NRC-05 OES-03 FEAE-00

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P 271801Z FEB 76

FM USMISSION IAEA VIENNA

TO SECSTATE WASHDC PRIORITY 7153

INFO USERDA GERMANTOWN PRIORITY

AMEMBASSY LONDON PRIORITY

C O N F I D E N T I A L SECTION 1 OF 2 IAEA VIENNA 1597

PASS IO/SCT

E.O. 11652: GDS

TAGS: AORG, OCON, IAEA, PARM, TECH, UK

SUBJECT: FEBRUARY MEETING OF IAEA BORAD OF GOVERNORS: UK
RESOLUTION ON SAFEGUARDS AGREEMENTS

REF: A) STATE 41839, B) IAEA VIENNA 1006

SUMMARY. BOARD ADOPTED UK RESOLUTION ON SAFEGUARDS
AGREEMENTS 2/25, BUT ONLY AFTER PROTRACTED AND
TROUBLESOME DEBATE AND INTENSIVE PRIVATE NEGOTIA-
TIONS HAD PRODUCED SEVERAL CHANGES IN
PREAMBLE. BEFORE THIS POINT WAS REACHED, QUESTION
WAS ALMOST PUT TO A VOTE WHICH HAS NOT BEEN
RESORTED TO BY BOARD SINCE 1972. END SUMMARY.

1. UK RESOLUTION (GOV/1774- TEXT AS IN REF B),
CO-SPONSORED BY US, USSR, CANADA, NETHERLANDS,
DENMARK, VENEZUELA, POLAND, GDR AND BANGLADESH,
WAS INTRODUCED BY UK REP JOHN THOMSON IN
SKILLFULLY PREPARED STATEMENT DESIGNED TO
ANTICIPATE AND ALLAY MISGIVINGS OF A NUMBER OF
DELEGATIONS WHICH HAD COME TO LIGHT DURING PREVIOUS
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WEEK OF CONSULTATIONS. PRINCIPAL POINTS MADE BY

THOMSON WERE SIMPLICITY OF REQUEST TO DG CONTAINED IN RESOLUTION, TOTAL ABSENCE OF ANY HIDDEN UNDERLYING MOTIVES IN PROPOSAL PARTICULARLY OF ANY PURPOSE OF APPLYING PRESSURE ON NON-PARTIES TO NPT, USEFULNESS OF HAVING AVAILABLE FOR INTERESTED MEMBERS A FRAMEWORK FOR NEGOTIATION OF FULL CYCLE SAFEGUARDS AGREEMENT. SIMILAR STATEMENTS BY REPS OF A NUMBER OF CO-SPONSORS AND SUPPORTERS FOLLOWED.

2. INDIAN GOVERNOR (MEHTA), FIRST OF EIGHT SPEAKERS TO CHALLENGE RESOLUTION BY COMPLETELY IGNORING THOMSON'S PRESENTATION, DELIVERED RAMBLING, PEDANTIC STATEMENT IN WHICH HE REFERRED TO RESOLUTION AS LATEST IN SERIES OF "SURPRISES" TO BE PRESENTED TO BOARD AND SUGGESTED THAT CONCEPTS IN RESOLUTION WERE (A) COUNTRARY TO STATUTE, (B) NEEDLESS, (C) SELF-CONTRADICTIONARY, (D) SUGGESTIVE OF HIDDEN MOTIVES ON PART OF SPONSORS, ALL OF WHOM WERE NPT PARTIES. ARGENTINE REP (BANCORA), AFTER POINTING WITH PRIDE TO WHAT HE PORTRAYED AS ARGENTINA'S LONG AND STEADFAST SUPPORT OF NON-PROLIFERATION OBJECTIVES, OBSERVED THAT PREAMBULAR PARAGRAPHS OF RESOLUTION APPEARED TO BELIE THOMSON'S ASSURANCES. IN PARTICULAR, PARAS (D) AND (E) APPEARED TO SUGGEST THAT FULL FUEL CYCLE SAFEGUARDS WOULD BECOME A PRE-CONDITION FOR COMMERCIAL TRANSACTIONS INVOLVING NUCLEAR MATERIALS AND EQUIPMENT. BANCORA CONCLUDED BY SAYING THAT UNLESS THESE PROVISIONS WERE CHANGED, ARGENTINA WOULD CALL FOR A VOTE ON RESOLUTION. REP. OF CHILE (CONTRERAS) SUPPORTED CALL FOR A VOTE AND TOGETHER WITH REPS OF YUGOSLAVIA AND TURKEY, QUESTIONED UTILITY OF UK PROPOSAL WHICH WOULD ONLY LEAD TO PROLIFERATION OF TYPES OF SAFEGUARDS AGREEMENTS. OTHERS (INDONESIA, IRAQ, YUGOSLAVIA) URGED CONSIDERATION OF RESOLUTION BE POSTPONED UNTIL JUNE, OR EVEN TO GENERAL CONFERENCE, WHEN ENTIRE AGENCY MEMBERSHIP COULD STUDY THE QUESTION.

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3. RESPONSE OF RESOLUTION'S SUPPORTERS BEGAN WITH EFFECTIVE AND UNEXPECTED STATEMENT BY FRENCH GOVERNOR (GOLDSCHMIDT) WHO POINTED OUT VOLUNTARY NATURE OF SAFEGUARDS AGREEMENTS WHICH MIGHT EVENTUALLY RESULT, AND REQUIREMENT OF BOARD TO REVIEW AND APPROVE EACH ONE. MOREOVER, THE MORE TYPES OF AGREEMENTS WHICH THE AGENCY ADDED TO

ITS "MENU", THE BETTER IT WOULD BE SERVING ITS
MEMBERSHIP. CANADIAN REP (HAMMOND) RECAPITULATED
THOMSON'S PRESENTATION, FOLLOWED BY 7S.
GOVERNOR WHO STRESSED USEFULNESS TO MEMBERSHIP OF
PREPARATIONS BY SECRETARIAT CALLED FOR IN
RESOLUTION. WHILE U.S. DID NOT CONTEMPLATE
ESTABLISHMENT OF MODEL AGREEMENT, BOARD WOULD
HAVE AMPLE OPPORTUNITY TO HEAR PROGRESS REPORTS FROM DG,
INCLUDING IDENTIFICATION OF ANY
POLICY ISSUES WHICH MIGHT ARISE.

4. FURTHER DISCUSSION WAS ADJOURNED TO AFTERNOON
SESSION AND IN INTERIM, MEETING WAS ARRANGED IN
CHAIRMAN'S OFFICE BETWEEN REPS OF UK, U.S. ON ONE
HAND, AND ARGENTINA, INDIA AND YUGOSLAVIA ON
THE OTHER, WITH CHAIRMAN OF BOARD ALSO PRESENT.
IT BECAME CLEAR AT THIS MEETING THAT THE ONLY
REAL OBSTACLES TO ADOPTION OF THE
RESOLUTION WERE PREAMBULAR PARAS. (D) AND (E).
ARGENTINES HAD PROPOSED PRIVATELY TO THOMSON
ON THE PRECEDING DAY SEVERAL INNOCUOUS TEXTUAL
CHANGES IN PREAMBLE WHICH WOULD SATISFY THEIR
MISGIVINGS -- AS WELL AS OTHER MEMBERS' -- AS
TO PURPOSES OF THE RESOLUTION WHICH, HOWEVER,
THOMSON CHOSE NOT TO ACCEPT AT THAT TIME AND
AGAIN SEEMED RELUCTANT TO ACCEPT AT THIS MEETING.
WITH VERY EFFECTIVE HELP FROM MEHTA, U.S.

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ACTION IO-11

INFO OCT-01 EUR-12 ISO-00 IOE-00 ACDA-05 CIAE-00 INR-07

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TO SECSTATE WASHDC PRIORITY 7154

INFO USERDA GERMANTOWN PRIORITY

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C O N F I D E N T I A L SECTION 2 OF 2 IAEA VIENNA 1597

GOVERNOR PERSUADED THOMSON THAT ACCEPTANCE OF THESE SIMPLE CHANGES WAS ONLY ALTERNATIVE TO BOARD DEFERMENT OF RESOLUTION.

5. BOARD RECONVENED AT 3:00 P.M. AND WAS GIVEN CHANGES AGREED UPON WHICH WERE AS FOLLOWS (COMPLETE FINAL TEXT FOLLOWS SEPTTEL): (1) PRE-AMBULAR PARA. (D) CHANGED TO READ "BELIEVING FURTHERMORE THAT EXCHANGES WOULD BE FACILITATED BY THE FURTHER APPLICATION OF SAGEGUARDS," (2) PREAMBULAR PARA. (E) DELETED AND PREAMBULAR PARA. (F) RE-DESIGNED (E), (3) NEW PREAMBULAR PARAS. (F) AND (G) CONTAINING THE TWO CLAUSES IN PARA. 2 OF CO-SPONSOR'S EXPLANATORY MEMORANDUM. ONLY SUBSTANTIVE COMMENT OFFERED WAS GIVEN BY AUSTRALIAN RESREP (FURLONGER) WHO, AFTER NOTING DESIRABILITY OF MAINTAINING BOARD'S TRADITION OF DECISION BY CONSENSUS, EXPRESSED HIS CONCERN THAT SECRETARIAT'S END PRODUCT NOT ENDANGER NPT BY OFFERING POTENTIAL PARTIES A "SOFT OPTION". AS CHAIRMAN'S GAVEL DESCENDED, IRAQI GOVERNOR (AL-SHAWI) INTERVENED TO REMIND BOARD THAT SEVERAL GOVERNORS HAD SUGGESTED VOTE BE TAKEN. ARGENTIAN AND CHILEAN REPS REPLIED TO EFFECT
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THAT THEIR EARLIER CONCERNS HAD BEEN MET AND THEY WERE PLEASED TO JOIN CONSENSUS APPROVING RESOLUTION.

RESOLUTION WAS THEN ADOPTED.

6. COMMENT. NOTWITHSTANDING LATE INCLUSION OF ADDITIONAL CO-SPONSORS, INCLUDING USSR, UK RESOLUTION PROVED TO BE MOST TIME-CONSUMING AND TROUBLESOME ITEM CONSIDERED AT THE BOARD, ALMOST CULMINATING IN MEASURE BEING PUT TO A VOTE. IF RE-SORTED TO ON A RELATIVELY SIMPLE QUESTION SUCH AS THIS, THIS PROCEDURE, LAST USED IN 1972 WHEN THE REPUBLIC OF CHINA WAS EXPELLED FROM THE AGENCY, WOULD HAVE SERIOUSLY DAMAGED THE TRADITIONAL PRACTICE OF THE BOARD OF ARRIVING AT DECISIONS BY CONSENSUS. WHAT SEEMED RATHER CURIOUS TO US WAS THE FACT IT WAS THE RELUCTANCE OF THE UK TO COMPROMISE RATHER THAN DETERMINED OPPOSITION TO IT THAT ALMOST EARNED FOR THE RESOLUTION THE SAME DEFERMENT WHICH THE UK RESOLUTION ON PNES

HAD EARNED AT THE FEB. 1975 BOARD MEETING.
IT WAS KNOWN IN ADVANCE BY THE UK AND OTHERS
THAT ACCEPTANCE OF THE AMENDMENTS PROPOSED BY
ARGENTINA WOULD OVERCOME THE CONCERNS OF THE
"TARGET" STATES AND THAT NO OTHER SERIOUS
OPPOSITION EXISTED. DOUBTLESS, THE RELUCTANCE
OF THE UK DELEGATION TO COMPROMISE WAS INSPIRED
AT LEAST IN PART BY FACT THAT THE PREAMBULAR LANGUAGE
OFFENSIVE TO THE "TARGET" STATES CLOSELY
TRACKED LANGUAGE USED BY FONMIN CALLAGHAN IN
HIS UN SPEECH. UK DELEGATION WAS CLEARLY
DETERMINED TO PUSH RESOLUTION THROUGH (AT NO
TIME WOULD THOMSON EVEN CONSIDER POSSIBILITY
OF ITS WITHDRAWAL OR DEFERMENT) AND ONLY THROUGH
PERSUASION BY OTHERS WAS DEFERMENT AVOIDED.
IT SHOULD BE OBSERVED, AS POSSIBLY INTERESTING
FOOTNOTE TO WHOLE EPISODE, THAT NO BOARD MEMBER
TOOK OBVIOUS OPPORTUNITY OFFERED BY THIS AGENDA
ITEM TO CALL FOR EXPLANATION OF LONDON SUPPLIERS'
ARRANGEMENTS. TAPE

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